

File No. 654

(Reprint of File No. 624)

Substitute House Bill No. 5296
As Amended by House Amendment
Schedules "A", "B" and "C"

Approved by the Legislative Commissioner
May 1, 1998

AN ACT CONCERNING WATER RESOURCE PROGRAMS OF THE
DEPARTMENT OF ENVIRONMENTAL PROTECTION, MOTORBOAT
NOISE, A FLOOD CONTROL SYSTEM AT LAKE PHIPPS AND
THE BROOKFIELD WATER COMPANY.

Be it enacted by the Senate and House of
Representatives in General Assembly convened:

1 Section 1. Subsections (b) and (c) of section
2 22a-430 of the general statutes are repealed and
3 the following is substituted in lieu thereof:
4 (b) The commissioner, at least thirty days
5 before approving or denying a permit application
6 for a discharge, shall publish once in a newspaper
7 having a substantial circulation in the affected
8 area notice of (1) the name of the applicant; (2)
9 the location, volume, frequency and nature of the
10 discharge; (3) the tentative decision on the
11 application, and (4) additional information the
12 commissioner deems necessary to comply with the
13 federal Clean Water Act (33 USC 1251 et seq.).
14 There shall be a comment period following the
15 public notice during which period interested
16 persons and municipalities may submit written
17 comments. After the comment period, the
18 commissioner shall make a final determination
19 either that (A) such discharge would not cause

20 pollution of any of the waters of the state, in
21 which case he shall issue a permit for such
22 discharge, or (B) after giving due regard to any
23 proposed system to treat the discharge, that such
24 discharge would cause pollution of any of the
25 waters of the state, in which case he shall deny
26 the application and notify the applicant of such
27 denial and the reasons therefor, or (C) the
28 proposed system to treat such discharge will
29 protect the waters of the state from pollution, in
30 which case he shall, except as provided pursuant
31 to subsection (j) of this section, require the
32 applicant to submit plans and specifications and
33 such other information as he may require and shall
34 impose such additional conditions as may be
35 required to protect such water, and if the
36 commissioner finds that the proposed system to
37 treat the discharge, as described by the plans and
38 specifications or such other information as may be
39 required by the commissioner pursuant to
40 subsection (j) of this section, will protect the
41 waters of the state from pollution, he shall
42 notify the applicant of his approval and, when
43 such applicant has installed such system, in full
44 compliance with the approval thereof, the
45 commissioner shall issue a permit for such
46 discharge, or (D) the proposed system to treat
47 such discharge, as described by the plans and
48 specifications, will not protect the waters of the
49 state, in which case he shall promptly notify the
50 applicant that its application is denied and the
51 reasons therefor. The commissioner shall, by
52 regulations adopted in accordance with the
53 provisions of chapter 54, establish procedures,
54 criteria and standards as appropriate for
55 determining if (i) a discharge would cause
56 pollution to the waters of the state and (ii) a
57 treatment system is adequate to protect the waters
58 of the state from pollution. Such procedures,
59 criteria and standards may include schedules of
60 activities, prohibitions of practices, operating
61 and maintenance procedures, management practices
62 and other measures to prevent or reduce pollution
63 of the waters of the state, provided the
64 commissioner in adopting such procedures, criteria
65 and standards shall consider best management
66 practices. The regulations shall specify the
67 circumstances under which procedures, criteria and

68 standards for activities other than treatment will
69 be required. For the purposes of this section,
70 "best management practices" means those practices
71 which reduce the discharge of waste into the
72 waters of the state and which have been determined
73 by the commissioner to be acceptable based on, but
74 not limited to, technical, economic and
75 institutional feasibility. Any [person who or
76 municipality which] APPLICANT, OR IN THE CASE OF A
77 PERMIT ISSUED PURSUANT TO THE FEDERAL WATER
78 POLLUTION CONTROL ACT, ANY PERSON OR MUNICIPALITY,
79 WHO is aggrieved by a decision of the commissioner
80 [and whose] WHERE AN application has not been
81 given a public hearing shall have the right to a
82 hearing and an appeal therefrom in the same manner
83 as provided in sections 22a-436 and 22a-437. Any
84 [person who or municipality which] APPLICANT, OR
85 IN THE CASE OF A PERMIT ISSUED PURSUANT TO THE
86 FEDERAL WATER POLLUTION CONTROL ACT, ANY PERSON OR
87 MUNICIPALITY, WHO is aggrieved by a decision of
88 the commissioner [and whose] WHERE AN application
89 has been given a public hearing shall have the
90 right to appeal as provided in section 22a-437.
91 The commissioner may, by regulation, exempt
92 certain categories, types or sizes of discharge
93 from the requirement for notice prior to approving
94 or denying the application if such category, type
95 or size of discharge is not likely to cause
96 substantial pollution. The commissioner may hold a
97 public hearing prior to approving or denying any
98 application if in his discretion the public
99 interest will be best served thereby, and he shall
100 hold a hearing upon receipt of a petition signed
101 by at least twenty-five persons. Notice of such
102 hearing shall be published at least thirty days
103 before the hearing in a newspaper having a
104 substantial circulation in the area affected.

105 (c) The permits issued pursuant to this
106 section shall be for a period not to exceed five
107 years, except that any such permit shall be
108 subject to the provisions of section 22a-431. Such
109 permits: (1) Shall specify the manner, nature and
110 volume of discharge; (2) shall require proper
111 operation and maintenance of any pollution
112 abatement facility required by such permit; (3)
113 may be renewable for periods not to exceed five
114 years each in accordance with procedures and
115 requirements established by the commissioner; and

116 (4) shall be subject to such other requirements
117 and restrictions as the commissioner deems
118 necessary to comply fully with the purposes of
119 this chapter, the federal Water Pollution Control
120 Act and the federal Safe Drinking Water Act. An
121 application for a renewal of a permit which
122 expires after January 1, 1985, shall be filed with
123 the commissioner at least one hundred eighty days
124 before the expiration of such permit. The
125 commissioner, at least thirty days before
126 approving or denying an application for renewal of
127 a permit, shall publish once in a newspaper having
128 substantial circulation in the area affected,
129 notice of (A) the name of the applicant; (B) the
130 location, volume, frequency and nature of the
131 discharge; (C) the tentative decision on the
132 application, and (D) such additional information
133 the commissioner deems necessary to comply with
134 the federal Clean Water Act (33 USC 1251 et seq.).
135 There shall be a comment period following the
136 public notice during which period interested
137 persons and municipalities may submit written
138 comments. After the comment period, the
139 commissioner shall make a final determination that
140 (i) continuance of the existing discharge would
141 not cause pollution of the waters of the state, in
142 which case he shall renew the permit for such
143 discharge, or (ii) continuance of the existing
144 system to treat the discharge would protect the
145 waters of the state from pollution, in which case
146 he shall renew a permit for such discharge, (iii)
147 the continuance of the existing system to treat
148 the discharge, even with modifications, would not
149 protect the waters of the state from pollution, in
150 which case he shall promptly notify the applicant
151 that its application is denied and the reasons
152 therefor, or (iv) modification of the existing
153 system or installation of a new system would
154 protect the waters of the state from pollution, in
155 which case he shall renew the permit for such
156 discharge. Such renewed permit may include a
157 schedule for the completion of the modification or
158 installation to allow additional time for
159 compliance with the final effluent limitations in
160 the renewed permit provided (I) continuance of the
161 activity producing the discharge is in the public
162 interest; (II) the interim effluent limitations in
163 the renewed permit are no less stringent than the

164 effluent limitations in the previous permit; and
165 (III) the schedule would not be inconsistent with
166 the federal Water Pollution Control Act. No permit
167 shall be renewed unless the commissioner
168 determines that the treatment system adequately
169 protects the waters of the state from pollution.
170 Any [person who or municipality which] APPLICANT,
171 OR IN THE CASE OF A PERMIT ISSUED PURSUANT TO THE
172 FEDERAL WATER POLLUTION CONTROL ACT, ANY PERSON OR
173 MUNICIPALITY, WHO is aggrieved by a decision of
174 the commissioner [and whose] WHERE AN application
175 for a renewal has not been given a public hearing
176 shall have the right to a hearing and an appeal
177 therefrom in the same manner as provided in
178 sections 22a-436 and 22a-437. Any [person who or
179 municipality which] APPLICANT, OR IN THE CASE OF A
180 PERMIT ISSUED PURSUANT TO THE FEDERAL WATER
181 POLLUTION CONTROL ACT, ANY PERSON OR MUNICIPALITY,
182 WHO is aggrieved by a decision of the commissioner
183 [and whose] WHERE AN application for a renewal has
184 been given a public hearing shall have the right
185 to appeal as provided in section 22a-437. Any
186 category, type or size of discharge that is exempt
187 from the requirement of notice pursuant to
188 subsection (b) of this section for the approval or
189 denial of a permit shall be exempt from notice for
190 approval or denial of a renewal of such permit.
191 The commissioner may hold a public hearing prior
192 to approving or denying an application for a
193 renewal if in his discretion the public interest
194 will be best served thereby, and he shall hold a
195 hearing upon receipt of a petition signed by at
196 least twenty-five persons. Notice of such hearing
197 shall be published at least thirty days before the
198 hearing in a newspaper having a substantial
199 circulation in the area affected.

200 Sec. 2. Section 22a-436 of the general
201 statutes is repealed and the following is
202 substituted in lieu thereof:

203 Each order to abate pollution issued under
204 section 22a-428 or 22a-431 or decision [to deny]
205 under subsection (b) or (c) of section 22a-430
206 shall be sent by certified mail, return receipt
207 requested, to the subject of such order or
208 decision [to deny] and shall be deemed issued upon
209 deposit in the mail. Any person who or
210 municipality which is aggrieved by any such order
211 or decision to deny an application OR, IN THE CASE

212 OF A PERMIT ISSUED PURSUANT TO THE FEDERAL WATER
213 POLLUTION CONTROL ACT, ANY DECISION without prior
214 hearing under subsection (b) OR (c) of section
215 22a-430, AS AMENDED BY SECTION 1 OF THIS ACT, may,
216 within thirty days from the date such order or
217 decision is sent, request a hearing before the
218 commissioner. The commissioner shall not grant any
219 request for a hearing at any time thereafter.
220 After such hearing, the commissioner shall
221 consider the facts presented to him by the person
222 or municipality, including, but not limited to,
223 technological feasibility, shall consider the
224 rebuttal or other evidence presented to or by him,
225 and shall then revise and resubmit the order to
226 the person or municipality, or inform the person
227 or municipality that the previous order has been
228 affirmed and remains in effect. The request for a
229 hearing as provided for in this section or a
230 decision under subsection (b) OR (c) of section
231 22a-430, AS AMENDED BY SECTION 1 OF THIS ACT, made
232 after a public hearing shall be a condition
233 precedent to the taking of an appeal by the person
234 or municipality under the provisions of section
235 22a-437, AS AMENDED BY SECTION 3 OF THIS ACT. The
236 commissioner may, after the hearing provided for
237 in this section, or at any time after the issuance
238 of his order, modify such order by agreement or
239 extend the time schedule therefor if he deems such
240 modification or extension advisable or necessary,
241 and any such modification or extension shall be
242 deemed to be a revision of an existing order and
243 shall not constitute a new order. There shall be
244 no hearing subsequent to or any appeal from any
245 such modification or extension.

246 Sec. 3. Subsection (a) of section 22a-437 of
247 the general statutes is repealed and the following
248 is substituted in lieu thereof:

249 (a) Any person who or municipality which is
250 aggrieved by a decision under subsection (b) OR
251 (c) of section 22a-430, AS AMENDED BY SECTION 1 OF
252 THIS ACT, or by any order of the commissioner
253 other than an order under section 22a-6b, to abate
254 pollution may, after a hearing by the commissioner
255 as provided for in section 22a-436 or subsection
256 (b) OR (c) of section 22a-430, AS AMENDED BY
257 SECTION 1 OF THIS ACT, appeal from the final
258 determination of the commissioner based on such
259 hearing to the Superior Court as provided in

chapter 54. Such appeal shall have precedence in the order of trial as provided in section 52-192. Sec. 4. Section 22a-40 of the general statutes, as amended by section 5 of public act 97-289, is amended by adding subsection (c) as follows:

(NEW) (c) Any dredging or any erection, placement, retention or maintenance of any structure, fill, obstruction or encroachment, or any work incidental to such activities, conducted by a state agency, which activity is regulated under sections 22a-28 to 22a-35, inclusive, as amended, or sections 22a-359b to 22a-363f, inclusive, as amended, shall not require any permit or approval under sections 22a-36 to 22a-45, inclusive, as amended.

Sec. 5. Section 22a-342 of the general statutes is repealed and the following is substituted in lieu thereof:

The commissioner shall establish, along any tidal or inland waterway or flood-prone area considered for stream clearance, channel improvement or any form of flood control or flood alleviation measure, lines beyond which, in the direction of the waterway or flood-prone area, no obstruction, [or] encroachment OR HINDRANCE shall be placed by any person, [firm or corporation, public or private] AND NO SUCH OBSTRUCTION, ENCROACHMENT OR HINDRANCE SHALL BE MAINTAINED BY ANY PERSON unless authorized by said commissioner. The commissioner shall issue or deny permits upon applications for establishing such encroachments based upon his findings of the effect of such proposed encroachments upon the flood-carrying and water storage capacity of the waterways and flood plains, flood heights, hazards to life and property, and the protection and preservation of the natural resources and ecosystems of the state, including but not limited to ground and surface water, animal, plant and aquatic life, nutrient exchange, and energy flow, with due consideration given to the results of similar encroachments constructed along the reach of waterway. Each application for a permit shall be accompanied by a fee as follows: (1) No change in grades and no construction of above-ground structures, two hundred fifty dollars; (2) a change in grade and no construction of above-ground structures, five

308 hundred dollars; and (3) a change in grade and
309 above-ground structures or buildings, two thousand
310 five hundred dollars. The commissioner may adopt
311 regulations, in accordance with the provisions of
312 chapter 54, to prescribe the amount of the fees
313 required pursuant to this section. Upon the
314 adoption of such regulations, the fees required by
315 this section shall be as prescribed in such
316 regulations.

317 Sec. 6. Section 22a-342a of the general
318 statutes is repealed and the following is
319 substituted in lieu thereof:

320 Any person who places any obstruction,
321 encroachment or hindrance within any stream
322 channel encroachment line established by the
323 Commissioner of Environmental Protection pursuant
324 to section 22a-342 without a permit issued under
325 said section, OR IS MAINTAINING ANY SUCH
326 OBSTRUCTION, ENCROACHMENT OR HINDRANCE PLACED
327 WITHOUT SUCH A PERMIT, or in violation of the
328 terms and conditions of such permit shall be
329 liable for a civil penalty of not more than one
330 thousand dollars for each offense. Each violation
331 shall be a separate and distinct offense and in
332 the case of a continuing violation, each day's
333 continuance thereof shall be deemed to be a
334 separate and distinct offense. The Commissioner of
335 Environmental Protection may request the Attorney
336 General to bring a civil action in the superior
337 court for the judicial district of Hartford-New
338 Britain at Hartford* to seek imposition and
339 recovery of such civil penalty.

340 Sec. 7. Subsections (a) and (b) of section
341 22a-6a of the general statutes are repealed and
342 the following is substituted in lieu thereof:

343 (a) Any person who knowingly or negligently
344 violates any provision of section 14-100b or
345 14-164c, subdivision (3) of subsection (b) of
346 section 15-121, section 15-171, 15-172, 15-175,
347 22a-5, 22a-6 [,] OR 22a-7, [22a-32 or 22a-39]
348 CHAPTER 440, chapter 441, section 22a-69 or
349 22a-74, subsection (b) of section 22a-134p,
350 section 22a-162, 22a-171, 22a-174, 22a-175,
351 22a-177, 22a-178, 22a-181, 22a-183, 22a-184,
352 22a-190, 22a-208, 22a-208a, 22a-209, 22a-213,
353 22a-220, 22a-225, 22a-231, 22a-336, 22a-342,
354 22a-345, 22a-346, 22a-347, 22a-349a, 22a-358,
355 22a-359, 22a-361, 22a-362, 22a-365 TO 22a-379,

356 INCLUSIVE, 22a-401 to [22a-405] 22a-411,
357 inclusive, 22a-416, 22a-417, 22a-424 to 22a-433,
358 inclusive, 22a-447, 22a-449, 22a-450, 22a-451,
359 22a-454, 22a-458, 22a-461, 22a-462 or 22a-471, AS
360 AMENDED, or any regulation, order or permit
361 adopted or issued thereunder by the Commissioner
362 of Environmental Protection shall be liable to the
363 state for the reasonable costs and expenses of the
364 state in detecting, investigating, controlling and
365 abating such violation. Such person shall also be
366 liable to the state for the reasonable costs and
367 expenses of the state in restoring the air,
368 waters, lands and other natural resources of the
369 state, including plant, wild animal and aquatic
370 life to their former condition insofar as
371 practicable and reasonable, or, if restoration is
372 not practicable or reasonable, for any damage,
373 temporary or permanent, caused by such violation
374 to the air, waters, lands or other natural
375 resources of the state, including plant, wild
376 animal and aquatic life and to the public trust
377 therein. Institution of a suit to recover for such
378 damage, costs and expenses shall not preclude the
379 application of any other remedies.

380 (b) Whenever two or more persons knowingly or
381 negligently violate any provision of section
382 14-100b or 14-164c, subdivision (3) of subsection
383 (b) of section 15-121, section 15-171, 15-172,
384 15-175, 22a-5, 22a-6 [,] OR 22a-7, [22a-32 or
385 22a-39] CHAPTER 440, chapter 441, subsection (b)
386 of section 22a-134p, section 22a-162, 22a-171,
387 22a-174, 22a-175, 22a-177, 22a-178, 22a-181,
388 22a-183, 22a-184, 22a-190, 22a-208, 22a-208a,
389 22a-209, 22a-213, 22a-220, 22a-225, 22a-231,
390 22a-336, 22a-342, 22a-345, 22a-346, 22a-347,
391 22a-349a, 22a-358, 22a-359, 22a-361, 22a-362,
392 22a-365 TO 22a-379, INCLUSIVE, 22a-401 to
393 [22a-405] 22a-411, inclusive, 22a-416, 22a-417,
394 22a-424 to 22a-433, inclusive, 22a-447, 22a-449,
395 22a-450, 22a-451, 22a-454, 22a-458, 22a-461,
396 22a-462 or 22a-471, AS AMENDED, or any regulation,
397 order or permit adopted or issued thereunder by
398 the commissioner and responsibility for the damage
399 caused thereby is not reasonably apportionable,
400 such persons shall, subject to a right of equal
401 contribution, be jointly and severally liable
402 under this section.

403 Sec. 8. Subsection (a) of section 22a-6k of
404 the general statutes, as amended by section 3 of
405 public act 97-289, is repealed and the following
406 is substituted in lieu thereof:

407 (a) The Commissioner of Environmental
408 Protection may issue an emergency authorization
409 for any activity regulated by the commissioner
410 under section 22a-32, SUBSECTION (h) OF SECTION
411 22a-39, 22a-54, 22a-66, 22a-174, 22a-208a,
412 22a-342, 22a-368, 22a-403, 22a-430, 22a-449 or
413 22a-454, AS AMENDED, provided he finds that (1)
414 such authorization is necessary to prevent, abate
415 or mitigate an imminent threat to human health or
416 the environment; and (2) such authorization is not
417 inconsistent with the federal Water Pollution
418 Control Act, the federal Rivers and Harbors Act,
419 the federal Clean Air Act or the federal Resource
420 Conservation and Recovery Act. Such emergency
421 authorization shall be limited by any conditions
422 the commissioner deems necessary to adequately
423 protect human health and the environment. Summary
424 suspension of an emergency authorization may be
425 ordered in accordance with subsection (c) of
426 section 4-182. The commissioner may assess a fee
427 for an emergency authorization issued pursuant to
428 this subsection. Such fee shall be of an amount
429 equal to the equivalent existing permit fee for
430 the activity authorized. The commissioner may
431 reduce or waive the fee required pursuant to this
432 subsection if good cause is shown. The fee
433 required pursuant to this subsection shall be paid
434 no later than ten days after the issuance of the
435 emergency authorization.

436 Sec. 9. Subsection (a) of section 22a-354i of
437 the general statutes is repealed and the following
438 is substituted in lieu thereof:

439 (a) On or before July 1, 1991, the
440 Commissioner of Environmental Protection shall
441 publish notice of intent to adopt regulations in
442 accordance with chapter 54 for land use controls
443 in aquifer protection areas. The regulations shall
444 establish (1) best management practice standards
445 for existing regulated activities located entirely
446 or in part within aquifer protection areas and a
447 schedule for compliance of nonconforming regulated
448 activities with such standards, (2) best
449 management practice standards for and prohibitions
450 of regulated activities proposed to be located

451 entirely or in part within aquifer protection
452 areas, (3) procedures for exempting regulated
453 activities in aquifer protection areas upon
454 determination solely by the commissioner that such
455 regulated activities do not pose a threat to any
456 existing or potential drinking water supply and
457 (4) requirements for design and installation of
458 groundwater monitoring within aquifer protection
459 areas. In addition, the commissioner may adopt
460 such other regulations as deemed necessary to
461 carry out the purposes of sections 22a-354b,
462 22a-354c, 22a-354h, this section, sections
463 22a-354m, 22a-354n, subsection (e) of section
464 22a-354p and subsection (d) of section 22a-451,
465 including but not limited to regulations which
466 provide for the manner in which the boundaries of
467 aquifer protection areas shall be established and
468 amended; criteria and procedures for submission
469 and review of applications to construct or begin
470 regulated activities; procedures for granting,
471 denying, limiting, revoking, suspending,
472 transferring and modifying permits for regulated
473 activities; controls regarding the expansion of
474 nonconforming regulated activities, INCLUDING
475 PROCEDURES FOR OFFSETTING IMPACTS FROM THE
476 EXPANSION OR MODIFICATION OF NONCONFORMING
477 REGULATED ACTIVITIES OR PROCEDURES FOR MODIFYING
478 PERMITS OF REGULATED ACTIVITIES BY THE REMOVAL OF
479 OTHER POTENTIAL POLLUTION SOURCES WITHIN THE
480 SUBJECT WELL FIELD, PROCEDURES FOR THE GRANTING OF
481 PERMITS FOR SUCH EXPANSION OR MODIFICATION BASED
482 ON THE CERTIFICATION OF A QUALIFIED PERSON THAT
483 SUCH EXPANSION MEETS CRITERIA ESTABLISHED BY THE
484 COMMISSIONER; registration requirements for
485 existing regulated activities and procedures for
486 transferring registrations; procedures for
487 landowners to notify a municipality or the
488 commissioner of a change in use and other
489 provisions for administration of the aquifer
490 protection program.

491 Sec. 10. Section 22a-354m of the general
492 statutes is repealed and the following is
493 substituted in lieu thereof:

494 (a) [Each] THE COMMISSIONER OF ENVIRONMENTAL
495 PROTECTION MAY, IN ACCORDANCE WITH REGULATIONS
496 ADOPTED PURSUANT TO SUBSECTION (d) OF THIS
497 SECTION, REQUIRE ANY person engaged in agriculture
498 on land located within an aquifer protection area

499 and whose annual gross sales from agricultural
500 products during the preceding calendar year were
501 two thousand five hundred dollars or more [shall]
502 TO submit a farm resources management plan. [for
503 such land to the Commissioner of Environmental
504 Protection for his approval.]

505 (b) The soil and water conservation district
506 where the aquifer protection area is located shall
507 establish and coordinate a technical team to
508 develop each plan. Such team shall include a
509 representative of the municipality in which the
510 land is located and a representative of any
511 affected water company upon request of such
512 municipality or water company. For the purposes of
513 developing the plan required pursuant to this
514 section, if a farm is located in two or more soil
515 and water conservation districts, the district in
516 which the greater part of such farm is located
517 shall be deemed to be the district in which the
518 entire farm is located. In developing a plan, a
519 district shall consult with the Commissioners of
520 Environmental Protection and Agriculture, the
521 College of Agriculture and Natural Resources at
522 The University of Connecticut, the Connecticut
523 Agricultural Experiment Station, the Soil
524 Conservation Service, the state Agricultural and
525 Conservation Committee and any other person or
526 agency the district deems appropriate.

527 (c) The plan shall include a schedule for
528 implementation and shall be periodically updated
529 as required by the commissioner. In developing a
530 schedule for implementation, the technical team
531 shall consider technical and economic factors
532 including, but not limited to, the availability of
533 state and federal funds. Any person engaged in
534 agriculture in substantial compliance with a plan
535 approved under this section shall be exempt from
536 regulations adopted under section 22a-354o by a
537 municipality in which the land is located. No plan
538 shall be required to be submitted to the
539 commissioner before July 1, 1992, or six months
540 after completion of level B mapping where the farm
541 is located, whichever is later.

542 (d) On or before July 1, [1991] 1999, the
543 Commissioner of Environmental Protection, in
544 consultation with the Commissioner of Agriculture,
545 the United States Soil Conservation Service, the
546 Cooperative Extension Service at The University of

547 Connecticut and the Council for Soil and Water
548 Conservation, shall publish notice of intent to
549 adopt regulations in accordance with chapter 54
550 for farm resources management plans. Such
551 regulations shall include, but not be limited to,
552 A PRIORITY SYSTEM AND PROCEDURES FOR DETERMINING
553 IF A FARM MANAGEMENT PLAN IS REQUIRED AND THE
554 PRIORITY THAT IS ASSIGNED TO THE PREPARATION OF
555 SUCH A PLAN, best management practices,
556 restrictions and prohibitions for manure
557 management, storage and handling of pesticides,
558 reduced use of pesticides through pest management
559 practices, integrated pest management, fertilizer
560 management and underground and above-ground
561 storage tanks and criteria and procedures for
562 submission and review of farm resources management
563 plans and amendments of such plans. In adopting
564 such best management practices, restrictions and
565 prohibitions, the commissioner shall consider
566 existing state and federal guidelines or
567 regulations affecting aquifers and agricultural
568 resources management.

569 Sec. 11. Section 22a-402 of the general
570 statutes is repealed and the following is
571 substituted in lieu thereof:

572 The Commissioner of Environmental Protection
573 shall investigate and inspect or cause to be
574 investigated and inspected all dams or other
575 structures which, in his judgment, would, by
576 breaking away, cause loss of life or property
577 damage. Said commissioner may require any person
578 owning or having the care and control of any such
579 structure to furnish him with such surveys, plans,
580 descriptions, drawings and other data relating
581 thereto and in such form and to such reasonable
582 extent as he directs. Any person in possession of
583 such pertinent information shall afford the owner
584 and the commissioner access thereto. The
585 commissioner shall make or cause to be made such
586 periodic inspections of all such structures as may
587 be necessary to reasonably insure that they are
588 maintained in a safe condition. If, after any
589 inspection described herein, the commissioner
590 finds any such structure to be in an unsafe
591 condition, he shall order the person owning or
592 having control thereof to place it in a safe
593 condition or to remove it and shall fix the time
594 within which such order shall be carried out. The

595 respondent to such an order shall not be required
596 to obtain a permit under chapter 440 OR 446j OR
597 SECTION 22a-342 OR 22a-368 for any action
598 necessary to comply with such order. If such order
599 is not carried out within the time specified, the
600 commissioner may carry out the actions required by
601 the order provided the commissioner has determined
602 that an emergency exists which presents a clear
603 and present danger to the public safety and said
604 commissioner shall assess the costs of such action
605 against the person [, firm or corporation] owning
606 or having care and control of the structure. When
607 the commissioner in his investigation finds that a
608 dam or other structure should be inspected
609 periodically in order to reduce a potential hazard
610 to life and property, the owner of such structure
611 shall cause such inspection to be made by a
612 registered engineer at such intervals as are
613 deemed necessary by the commissioner and shall
614 submit a copy of the engineer's finding and report
615 to the commissioner for his action. As used in
616 this chapter, "person" shall have the same meaning
617 as defined in subsection (c) of section 22a-2. THE
618 COMMISSIONER SHALL CAUSE A CERTIFIED COPY OF A
619 FINAL ORDER ISSUED UNDER THIS SECTION TO BE
620 RECORDED ON THE LAND RECORDS IN THE TOWN OR TOWNS
621 WHEREIN THE DAM OR SUCH STRUCTURE IS LOCATED.

622 Sec. 12. Subsection (b) of section 22a-403 of
623 the general statutes is repealed and the following
624 is substituted in lieu thereof:

625 (b) The commissioner or his representative,
626 engineer or consultant shall determine the impact
627 of the construction work on the environment, on
628 the safety of persons and property and on the
629 inland wetlands and watercourses of the state in
630 accordance with the provisions of sections 22a-36
631 to 22a-45, inclusive, AS AMENDED, and shall
632 further determine the need for a fishway in
633 accordance with the provisions of section 26-136,
634 and shall examine the documents and inspect the
635 site, and, upon approval thereof, the commissioner
636 shall issue a permit authorizing the proposed
637 construction work under such conditions as the
638 commissioner may direct. The commissioner shall
639 send a copy of the permit to the town clerk in any
640 municipality in which the structure is located or
641 any municipality which will be affected by the
642 structure. AN APPLICANT FOR A PERMIT ISSUED UNDER

643 THIS SECTION TO ALTER, REBUILD, REPAIR OR REMOVE
644 AN EXISTING DAM SHALL NOT BE REQUIRED TO OBTAIN A
645 PERMIT UNDER SECTIONS 22a-36 TO 22a-45a,
646 INCLUSIVE, AS AMENDED, OR SECTION 22a-342 OR
647 22a-368. AN APPLICANT FOR A PERMIT ISSUED UNDER
648 THIS SECTION TO CONSTRUCT A NEW DAM SHALL NOT BE
649 REQUIRED TO OBTAIN A PERMIT UNDER SECTIONS 22a-36
650 TO 22a-45a, INCLUSIVE, AS AMENDED, FOR SUCH
651 CONSTRUCTION.

652 Sec. 13. Section 22a-408 of the general
653 statutes is repealed and the following is
654 substituted in lieu thereof:

655 Upon written request, any person [, firm or
656 corporation] aggrieved by any decision of the
657 commissioner under this chapter, other than a
658 decision under section 22a-403, shall be given a
659 hearing by the commissioner. Any person [, firm or
660 corporation] aggrieved by any decision or order of
661 the commissioner pursuant to the provisions of
662 section 22a-402, 22a-405 or 22a-409 may request a
663 hearing before the commissioner. Such request
664 shall be submitted to the commissioner within
665 thirty days of receipt of notice of such decision
666 or order. The commissioner shall conduct such
667 hearing promptly in accordance with the provisions
668 of chapter 54. An appeal may be taken from any
669 decision of the commissioner in accordance with
670 the provisions of section 4-183, except such
671 appeal shall be made returnable to the judicial
672 district of Hartford-New Britain at Hartford*.

673 Sec. 14. Section 22a-411 of the general
674 statutes is repealed and the following is
675 substituted in lieu thereof:

676 (a) The commissioner may issue a general
677 permit for any minor activity regulated under
678 sections 22a-401 to 22a-410, inclusive, except for
679 any activity covered by an individual permit, if
680 the commissioner determines that such activity
681 would cause minimal environmental effects when
682 conducted separately and would cause only minimal
683 cumulative environmental effects. Such activities
684 may include routine maintenance and routine repair
685 of any dam, dike, reservoir or other similar
686 structure and the construction if any such
687 structure presents low or negligible safety
688 hazards. Any person [, firm or corporation]
689 conducting an activity for which a general permit
690 has been issued shall not be required to obtain an

691 individual permit under [any other provision of
692 said sections 22a-401 to 22a-410, inclusive]
693 SECTIONS 22a-36 TO 22a-45a, INCLUSIVE, AS AMENDED,
694 OR SECTION 22a-342, 22a-368 OR 22a-403, except as
695 provided in subsection (c) of this section. A
696 general permit shall clearly define the activity
697 covered thereby and may include such conditions
698 and requirements as the commissioner deems
699 appropriate, including but not limited to,
700 management practices and verification and
701 reporting requirements. The general permit may
702 require any person [, firm or corporation]
703 conducting any activity under the general permit
704 to report, on a form prescribed by the
705 commissioner, such activity to the commissioner
706 before it shall be covered by the general permit.
707 The commissioner shall prepare, and shall annually
708 amend, a list of holders of general permits under
709 this section, which list shall be made available
710 to the public.

711 (b) Notwithstanding any other procedures
712 specified in said sections 22a-401 to 22a-410,
713 inclusive, any regulation adopted thereunder, and
714 chapter 54, the commissioner may issue, revoke,
715 suspend or modify a general permit in accordance
716 with the following procedures: (1) The
717 commissioner shall publish in a newspaper having a
718 substantial circulation in the affected area or
719 areas notice of intent to issue a general permit;
720 (2) the commissioner shall allow a comment period
721 of thirty days following publication of such
722 notice during which interested persons may submit
723 written comments to the commissioner and the
724 commissioner shall hold a public hearing if,
725 within said comment period, he receives a petition
726 signed by at least twenty-five persons; (3) the
727 commissioner may not issue the general permit
728 until after the comment period; and (4) the
729 commissioner shall publish notice of any issued
730 permit in a newspaper having substantial
731 circulation in the affected area or areas. Any
732 person may request that the commissioner issue,
733 modify or revoke a general permit in accordance
734 with the provisions of this subsection.

735 (c) Subsequent to the issuance of a general
736 permit, the commissioner may require any person [,
737 firm or corporation] to obtain an individual
738 permit under the provisions of said sections

739 22a-401 to 22a-410, inclusive, for all or any
740 portion of the activities covered by the general
741 permit, if in the commissioner's judgment the
742 purposes and policies of said sections would be
743 best served by requiring an application for an
744 individual permit. The commissioner may require an
745 individual permit under this subsection only if
746 the affected person [, firm or corporation] has
747 been notified in writing that an individual permit
748 is required. The notice shall include a brief
749 statement of the reasons for the decision and a
750 statement that upon the date of issuance of such
751 notice the general permit as it applies to the
752 individual activity will terminate.

753 (d) Any general permit issued under this
754 section shall require that any person [, firm or
755 corporation] intending to conduct an activity
756 covered by such general permit shall, at least
757 sixty days before initiating such activity, give
758 written notice of such intention to the inland
759 wetlands agency, zoning commission, planning
760 commission or combined planning and zoning
761 commission, and conservation commission of any
762 municipality which will or may be affected by such
763 activity, and to the department which shall make
764 such notices available to the public. The general
765 permit shall specify the information which must be
766 contained in the notice. An inland wetlands
767 agency, planning and zoning commission,
768 conservation commission or any person may submit
769 written comments to the commissioner concerning
770 such activity no later than twenty-five days
771 before the date that the activity is proposed to
772 begin.

773 (e) The commissioner may adopt regulations in
774 accordance with the provisions of chapter 54 to
775 carry out the purposes of this section.

776 Sec. 15. Subsection (a) of section 22a-7 of
777 the general statutes is repealed and the following
778 is substituted in lieu thereof:

779 (a) The commissioner, whenever he finds after
780 investigation that any person is causing, engaging
781 in or maintaining, or is about to cause, engage in
782 or maintain, any condition or activity which, in
783 his judgment, will result in or is likely to
784 result in imminent and substantial damage to the
785 environment, or to public health within the
786 jurisdiction of the commissioner under the

787 provisions of chapters 440, 441, 442, 445, 446a,
788 446c, 446d, 446j and 446k, or whenever he finds
789 after investigation that there is a violation of
790 the terms and conditions of a permit issued by him
791 that is in his judgment substantial and continuous
792 and it appears prejudicial to the interests of the
793 people of the state to delay action until an
794 opportunity for a hearing can be provided, or
795 whenever he finds after investigation that any
796 person is conducting, has conducted, or is about
797 to conduct an activity which will result in or is
798 likely to result in imminent and substantial
799 damage to the environment, or to public health
800 within the jurisdiction of the commissioner under
801 the provisions of chapters 440, 441, 442, 445,
802 446a, 446c, 446d, 446j and 446k for which a
803 license, as defined in section 4-166, is required
804 under the provisions of chapter 440, 441, 442,
805 445, 446a, 446c, 446d, 446j or 446k without
806 obtaining such license, may, without prior
807 hearing, issue a cease and desist order in writing
808 to such person to discontinue, abate or alleviate
809 such condition or activity.

810 Sec. 16. Subdivision (1) of subsection (c) of
811 section 22a-42a of the general statutes, as
812 amended by section 10 of public act 97-124, is
813 repealed and the following is substituted in lieu
814 thereof:

815 (c) (1) On and after the effective date of the
816 municipal regulations promulgated pursuant to
817 subsection (b) of this section, no regulated
818 activity shall be conducted upon any inland
819 wetland or watercourse without a permit. Any
820 person proposing to conduct or cause to be
821 conducted a regulated activity upon an inland
822 wetland or watercourse shall file an application
823 with the inland wetlands agency of the town or
824 towns wherein the wetland or watercourse in
825 question is located. The application shall be in
826 such form and contain such information as the
827 inland wetlands agency may prescribe. The date of
828 receipt of an application shall be the day of the
829 next regularly scheduled meeting of such inland
830 wetlands agency, immediately following the day of
831 submission to such inland wetlands agency or its
832 agent of such application, provided such meeting
833 is no earlier than three business days after
834 receipt, or thirty-five days after such

835 submission, whichever is sooner. The inland
836 wetlands agency shall not hold a public hearing on
837 such application unless the inland wetlands agency
838 determines that the proposed activity may have a
839 significant impact on wetlands or watercourses, a
840 petition signed by at least twenty-five persons
841 requesting a hearing is filed with the agency not
842 later than fifteen days after the date of receipt
843 of such application, or the agency finds that a
844 public hearing regarding such application would be
845 in the public interest. AN INLAND WETLANDS AGENCY
846 MAY ISSUE A PERMIT WITHOUT A PUBLIC HEARING
847 PROVIDED NO PETITION PROVIDED FOR IN THIS
848 SUBSECTION IS FILED WITH THE AGENCY NOT LATER THAN
849 FIFTEEN DAYS AFTER THE DATE OF RECEIPT OF THE
850 APPLICATION. Such hearing shall be held no later
851 than sixty-five days after the receipt of such
852 application. Notice of the hearing shall be
853 published at least twice at intervals of not less
854 than two days, the first not more than fifteen
855 days and not fewer than ten days, and the last not
856 less than two days before the date set for the
857 hearing in a newspaper having a general
858 circulation in each town where the affected
859 wetland or watercourse, or any part thereof, is
860 located. All applications and maps and documents
861 relating thereto shall be open for public
862 inspection. At such hearing any person or persons
863 may appear and be heard. The hearing shall be
864 completed within forty-five days of its
865 commencement. Action shall be taken on such
866 application within thirty-five days after the
867 completion of a public hearing or in the absence
868 of a public hearing within sixty-five days from
869 the date of receipt of such application. The
870 applicant may consent to one or more extensions of
871 the periods specified in this subsection for the
872 holding of the hearing and for action on such
873 application, provided the total extension of any
874 such period shall not be for longer than the
875 original period as specified in this subsection,
876 or may withdraw such application. If the inland
877 wetlands agency, or its agent, fails to act on any
878 application within thirty-five days after the
879 completion of a public hearing or in the absence
880 of a public hearing within sixty-five days from
881 the date of receipt of the application, or within
882 any extension of any such period, the applicant

883 may file such application with the Commissioner of
884 Environmental Protection who shall review and act
885 on such application in accordance with this
886 section. Any costs incurred by the commissioner in
887 reviewing such application for such inland
888 wetlands agency shall be paid by the municipality
889 that established or authorized the agency. Any
890 fees that would have been paid to such
891 municipality if such application had not been
892 filed with the commissioner shall be paid to the
893 state. The failure of the inland wetlands agency
894 or the commissioner to act within any time period
895 specified in this subsection, or any extension
896 thereof, shall not be deemed to constitute
897 approval of the application.

898 Sec. 17. Subsection (f) of section 23-65 of
899 the general statutes is repealed and the following
900 is substituted in lieu thereof:

901 (f) Any person, firm or corporation, other
902 than a tree warden or his deputy, who desires the
903 cutting or removal, in whole or in part, of any
904 tree or shrub or part thereof within the limits of
905 any public road or grounds, may apply in writing
906 to the town tree warden, the borough tree warden
907 or the Commissioner of Transportation or other
908 authority having jurisdiction thereof for a permit
909 so to do. Upon receipt of such permit, but not
910 before, he may proceed with such cutting or
911 removal. Before granting or denying such permit,
912 such authority may hold a public hearing as
913 provided in section 23-59, and when the applicant
914 is a public utility corporation, the party
915 aggrieved by such decision may, within ten days,
916 appeal therefrom to the Department of Public
917 Utility Control, which shall have the power to
918 review, confirm, change or set aside the decision
919 appealed from and its decision shall be final.
920 This shall be in addition to the powers granted to
921 it under section 16-234, provided, if an
922 application for such permit has been made to
923 either a tree warden or the Commissioner of
924 Transportation or other authority and denied by
925 him, an application for a permit for the same
926 relief shall not be made to any other such
927 authority. UPON ANY APPROVAL OF SUCH A PERMIT BY
928 THE COMMISSIONER OF TRANSPORTATION, HE SHALL
929 NOTIFY THE TREE WARDEN FOR THE TOWN IN WHICH THE
930 TREE IS LOCATED.

931 Sec. 18. Section 15-129 of the general
932 statutes, as amended by section 1 of public act
933 97-49, is repealed and the following is
934 substituted in lieu thereof:

935 (a) The provisions of this section shall apply
936 to vessels operated on state and federal waters.
937 (1) Every vessel shall carry for each person on
938 board, so placed as to be readily accessible, at
939 least one buoyant personal flotation device. The
940 operator or owner of any vessel being used for
941 recreational purposes, other than a vessel
942 required to have a certificate of inspection
943 issued by the Coast Guard, shall require any child
944 under twelve years of age who is aboard such
945 vessel to wear a personal flotation device while
946 such vessel is underway unless the child is below
947 deck or in an enclosed cabin. Sailboards shall be
948 exempt from carrying a personal flotation device
949 if the mast of the sailboard is secured to the
950 hull by a leash or safety line. (2) Every
951 motorboat with enclosed fuel storage space or an
952 enclosed engine compartment shall be equipped with
953 devices for ventilating flammable or explosive
954 gases. (3) Every motorboat with a carbureted
955 inboard engine shall have the carburetor of such
956 engine equipped with a flame arrestor or backfire
957 trap unless such engine is mounted in the
958 aftermost part of the vessel with no provisions
959 for carrying passengers behind the forward edge of
960 the engine and the carburetor of such engine has
961 its intake opening above the gunwale line of the
962 vessel in the open atmosphere and mounted so
963 backfire flames are directed to the rear or
964 vertically away from the vessel and its occupants.
965 (4) Every motorboat shall have its engine equipped
966 with an effective muffling device. (5) All inboard
967 motorboats, all outboard motorboats twenty-six
968 feet or over in length, and all outboard
969 motorboats less than twenty-six feet in length
970 which have a compartment in which gases may
971 accumulate, shall be equipped with a fire
972 extinguisher. (6) Every motorboat sixteen feet or
973 more in length shall be equipped with a whistle or
974 horn-type sound-producing device capable of
975 producing a blast of two seconds or more in
976 duration. On motorboats sixteen feet or more but
977 less than twenty-six feet in length such device
978 shall be mouth, hand or power-operated and audible

979 for at least one-half mile. On motorboats
980 twenty-six feet or more but less than forty feet
981 in length such device shall be hand or
982 power-operated and audible for at least one mile.
983 On motorboats forty feet or more but less than
984 sixty-five feet in length such device shall be
985 power-operated and audible for at least one mile.
986 Every motorboat twenty-six feet or more in length
987 shall be equipped with a bell capable of producing
988 a clear bell-like tone of full round
989 characteristics. (7) Every vessel operated on the
990 waters of Long Island Sound or Fishers Island
991 Sound between sunset and sunrise shall carry
992 visual distress signals suitable for night use.
993 Every vessel sixteen feet or more in length,
994 except manually propelled vessels and open
995 sailboats that are less than twenty-six feet in
996 length, and are not equipped with propulsion
997 machinery, operated on the waters of Long Island
998 Sound or Fishers Island Sound at any time shall
999 carry visual distress signals suitable for day and
1000 night use. No person, operator or owner in a
1001 vessel shall display or allow the display of a
1002 visual distress signal except when assistance is
1003 needed because of immediate or potential danger to
1004 persons aboard.

1005 (b) [No person shall operate or give
1006 permission for the operation of any motorboat in
1007 or upon the waters of this state in such a manner
1008 as to exceed the following noise levels: (1) For
1009 engines manufactured before January 1, 1976, a
1010 noise level of 86 dB (A) measured at a distance of
1011 (A) fifty feet from the motorboat or (B) one
1012 hundred feet from the shore, in accordance with
1013 local regulations or ordinances; (2) for engines
1014 manufactured on or after January 1, 1976, and
1015 before January 1, 1982, a noise level of 84 dB (A)
1016 measured at a distance of (A) fifty feet from the
1017 motorboat or (B) one hundred feet from the shore,
1018 in accordance with local regulations or
1019 ordinances; (3) for engines manufactured on or
1020 after January 1, 1982, a noise level of 82 dB (A)
1021 measured at a distance of (A) fifty feet from the
1022 motorboat or (B) one hundred feet from the shore,
1023 in accordance with local regulations or
1024 ordinances.] NO PERSON SHALL OPERATE OR GIVE
1025 PERMISSION FOR THE OPERATION OF ANY MOTORBOAT ON
1026 THE WATERS OF THIS STATE UNLESS SUCH MOTORBOAT IS

1027 AT ALL TIMES EQUIPPED WITH A MUFFLER WHICH ENABLES
1028 SUCH MOTORBOAT TO BE OPERATED IN COMPLIANCE WITH
1029 SUBSECTIONS (c) AND (d) OF THIS SECTION AND SUCH
1030 MUFFLER IS IN USE. FOR PURPOSES OF THIS SECTION
1031 "MUFFLER" MEANS A SOUND SUPPRESSION DEVICE OR
1032 SYSTEM DESIGNED AND INSTALLED TO ABATE THE SOUND
1033 OF EXHAUST GASES EMITTED FROM AN INTERNAL
1034 COMBUSTION ENGINE.

1035 (c) NO PERSON SHALL OPERATE OR GIVE PERMISSION
1036 FOR THE OPERATION OF ANY MOTORBOAT ON THE WATERS
1037 OF THIS STATE IN SUCH A MANNER AS TO EXCEED THE
1038 FOLLOWING NOISE LEVELS: (1) FOR ENGINES
1039 MANUFACTURED BEFORE JANUARY 1, 1993, A NOISE LEVEL
1040 OF 90 dB (A) WHEN SUBJECTED TO A STATIONARY SOUND
1041 LEVEL TEST AS PRESCRIBED BY SOCIETY OF AUTOMOTIVE
1042 ENGINEERS SPECIFICATION NUMBER J2005; (2) FOR
1043 ENGINES MANUFACTURED ON OR AFTER JANUARY 1, 1993,
1044 A NOISE LEVEL OF 88 dB (A) WHEN SUBJECTED TO A
1045 STATIONARY SOUND LEVEL TEST AS PRESCRIBED BY
1046 SOCIETY OF AUTOMOTIVE ENGINEERS SPECIFICATION
1047 NUMBER J2005. IF A MOTORBOAT IS EQUIPPED WITH MORE
1048 THAN ONE ENGINE, THE SAID NOISE LEVELS SHALL APPLY
1049 WHEN ALL SUCH ENGINES ARE SIMULTANEOUSLY IN
1050 OPERATION.

1051 (d) NO PERSON SHALL OPERATE OR GIVE PERMISSION
1052 FOR THE OPERATION OF ANY MOTORBOAT ON THE WATERS
1053 OF THIS STATE IN SUCH A MANNER AS TO EXCEED A
1054 NOISE LEVEL OF 75 dB (A) MEASURED AS SPECIFIED BY
1055 SOCIETY OF AUTOMOTIVE ENGINEERS SPECIFICATION
1056 NUMBER J1970.

1057 ~~[(c)]~~ (e) Any officer authorized to enforce
1058 the provisions of this chapter who has reason to
1059 believe that a [vessel] MOTORBOAT is being
1060 operated in excess of the noise levels established
1061 in subsection [(b)] (c) OR (d) of this section may
1062 request the operator of such [vessel] MOTORBOAT to
1063 submit the [vessel] MOTORBOAT to an on-site test
1064 to measure noise levels, with the officer on board
1065 SUCH MOTORBOAT if such officer chooses, and the
1066 operator shall comply with such request. If such
1067 [vessel] MOTORBOAT exceeds the [decibel] NOISE
1068 levels established in subsection [(b)] (c) OR (d)
1069 of this section, the officer may direct the
1070 operator to take immediate and reasonable measures
1071 to correct the violation, including returning the
1072 [vessel] MOTORBOAT to a mooring and keeping the
1073 [vessel] MOTORBOAT at such mooring until the
1074 violation is corrected or ceases.

1075 [(d) All devices and equipment required by
1076 this section shall be of a type and carried in the
1077 quantity and location approved by the commissioner
1078 or by the United States Coast Guard.

1079 (e) Sirens shall not be used on any vessel
1080 except that law enforcement vessels of the United
1081 States, this state or a political subdivision of
1082 this state may use sirens when engaged in law
1083 enforcement activities or when identification is
1084 necessary for safety reasons. Any vessel may be
1085 equipped with a theft alarm signal device if such
1086 device is so designed that it cannot be used as an
1087 ordinary warning signal.]

1088 (f) ANY OFFICER WHO CONDUCTS A MOTORBOAT SOUND
1089 LEVEL TEST AS PROVIDED IN THIS SECTION SHALL BE
1090 QUALIFIED IN MOTORBOAT NOISE TESTING BY THE
1091 DEPARTMENT OF ENVIRONMENTAL PROTECTION, SUCH
1092 QUALIFICATION SHALL INCLUDE, WITHOUT LIMITATION,
1093 INSTRUCTION IN SELECTION OF THE MEASUREMENT SITE
1094 AND IN THE CALIBRATION AND USE OF NOISE TESTING
1095 EQUIPMENT.

1096 [(f)] (g) No person shall operate or give
1097 permission for the operation of any motorboat [in
1098 or upon] ON the waters of this state that is
1099 equipped with [an altered muffler or] a muffler
1100 cutout, bypass or similar device which prevents
1101 the proper operation of or diminishes the
1102 operating capacity of the muffler. [As used in
1103 this subsection, "muffler" means a noise
1104 dissipating device or system for reducing the
1105 sound of escaping gases from an internal
1106 combustion engine.]

1107 (h) NO PERSON SHALL REMOVE A MUFFLER FROM A
1108 MOTORBOAT OR ALTER A MUFFLER ON A MOTORBOAT SO AS
1109 TO PREVENT THE OPERATION OF SUCH MOTORBOAT IN
1110 COMPLIANCE WITH SUBSECTIONS (c) AND (d) OF THIS
1111 SECTION.

1112 (i) NO PERSON SHALL SELL OR OFFER FOR SALE ANY
1113 MOTORBOAT WHICH IS NOT EQUIPPED WITH A MUFFLER
1114 WHICH ENABLES SUCH MOTORBOAT TO BE OPERATED IN
1115 COMPLIANCE WITH SUBSECTIONS (c) AND (d) OF THIS
1116 SECTION. THIS SUBSECTION SHALL NOT APPLY TO THE
1117 SALE OR OFFER FOR SALE OF A MOTORBOAT WHICH WILL
1118 BE OPERATED SOLELY FOR THE PURPOSE OF COMPETING IN
1119 MARINE RACES OR REGATTAS, PROVIDED UPON THE SALE
1120 OF A MOTORBOAT WHICH IS NOT EQUIPPED WITH SUCH A
1121 MUFFLER, THE SELLER SHALL PROVIDE TO THE
1122 PURCHASER, AND THE PURCHASER SHALL DATE AND SIGN,

1123 THE FOLLOWING STATEMENT: "I UNDERSTAND THAT THIS
1124 MOTORBOAT MAY NOT BE OPERATED FOR ANY PURPOSES
1125 OTHER THAN COMPETING IN A MARINE RACE OR REGATTA
1126 AUTHORIZED UNDER SECTION 15-140b OF THE
1127 CONNECTICUT GENERAL STATUTES". SUCH STATEMENT
1128 SHALL INCLUDE THE HULL IDENTIFICATION NUMBER OF
1129 THE MOTORBOAT BEING PURCHASED. NOT LATER THAN FIVE
1130 DAYS AFTER THE SALE, THE SELLER SHALL SUBMIT TO
1131 THE COMMISSIONER A COPY OF SUCH SIGNED AND DATED
1132 STATEMENT. THE SELLER AND PURCHASER SHALL EACH
1133 RETAIN A COPY OF THE STATEMENT.

1134 (j) THE PROVISIONS OF SUBSECTIONS (c) AND (d)
1135 OF THIS SECTION SHALL NOT APPLY TO THE OPERATION
1136 OF A MOTORBOAT PARTICIPATING IN A MARINE RACE OR
1137 REGATTA AUTHORIZED BY THE COMMISSIONER UNDER
1138 SECTION 15-140b.

1139 (k) ALL DEVICES AND EQUIPMENT REQUIRED BY THIS
1140 SECTION SHALL BE OF A TYPE AND CARRIED IN THE
1141 QUANTITY AND LOCATION APPROVED BY THE COMMISSIONER
1142 OR BY THE UNITED STATES COAST GUARD.

1143 (l) SIRENS SHALL NOT BE USED ON ANY VESSEL
1144 EXCEPT THAT LAW ENFORCEMENT VESSELS OF THE UNITED
1145 STATES, THIS STATE OR A POLITICAL SUBDIVISION OF
1146 THIS STATE MAY USE SIRENS WHEN ENGAGED IN LAW
1147 ENFORCEMENT ACTIVITIES OR WHEN IDENTIFICATION IS
1148 NECESSARY FOR SAFETY REASONS. ANY VESSEL MAY BE
1149 EQUIPPED WITH A THEFT ALARM SIGNAL DEVICE IF SUCH
1150 DEVICE IS SO DESIGNED THAT IT CANNOT BE USED AS AN
1151 ORDINARY WARNING SIGNAL.

1152 [(g)] (m) Any person who violates any
1153 provision of subsection (a) [, (d), (e) or (f)] of
1154 this section shall have committed an infraction.
1155 Any person who violates the provisions of ANY
1156 OTHER subsection [(b)] of this section or who
1157 fails to comply with a request or direction of an
1158 officer made pursuant to subsection [(c)] (e) of
1159 this section shall be fined not less than one
1160 hundred dollars nor more than five hundred
1161 dollars.

1162 Sec. 19. Notwithstanding the provisions of
1163 section 25-71 of the general statutes, the
1164 Commissioner of Environmental Protection shall
1165 provide for the payment of not less than sixty per
1166 cent of the total cost of the repair of the flood
1167 and erosion control system for the Lake Phipps
1168 area under the control of said commissioner in
1169 West Haven. The commissioner shall enter into an
1170 agreement with the town of West Haven and the lake

1171 association for Lake Phipps under which the town
1172 or the association shall bear all or part of the
1173 remainder of such costs.

1174 Sec. 20. The Brookfield Water Company, a
1175 corporation incorporated under the laws of the
1176 state of Connecticut on February 2, 1998, shall
1177 continue to exist as a corporation with all the
1178 rights, powers and duties set forth in its
1179 Certificate of Incorporation and any amendment
1180 thereto, and said corporation shall further have
1181 and exercise all powers and privileges granted
1182 herein, together with such other powers,
1183 privileges and duties as may be granted to water
1184 companies by the general statutes for the purpose
1185 of supplying the town of Brookfield and the
1186 inhabitants thereof with an abundant supply of
1187 water for public, domestic and other use.

1188 Sec. 21. Said corporation shall, in addition
1189 to the powers and privileges referred to in
1190 section 20 of this act, be further empowered and
1191 authorized, as may be necessary or convenient for
1192 conducting water to and distributing water within
1193 the town of Brookfield: (1) To open public
1194 streets, ways and grounds for purposes of
1195 installing, maintaining, repairing and replacing
1196 its mains, pipes and conduits and other works
1197 useful for public water supply, provided that said
1198 corporation shall have such streets, ways and
1199 grounds in all respects in as good condition as
1200 before the installation, maintenance, repair or
1201 replacement of such mains, pipes, conduits and
1202 other works; (2) to install, maintain, operate,
1203 repair and replace its mains, pipes and conduits
1204 and other works through, over and under public
1205 streets, ways and grounds in said town of
1206 Brookfield or the immediate vicinity of the town
1207 of Brookfield; (3) to construct, repair and
1208 maintain such reservoir or reservoirs or other
1209 source or sources of water supply and structures
1210 and facilities appurtenant thereto; (4) to
1211 construct, repair and maintain any canals or
1212 aqueducts and other works as may be useful for
1213 public water supply; (5) to install fire hydrants;
1214 and (6) to remove existing nuisances and prohibit
1215 the erection of other nuisances upon such streams
1216 as may be used by the corporation for water supply
1217 purposes, provided nothing in sections 20 to 23,
1218 inclusive, of this act shall authorize said

1219 corporation to take the property or vested rights
1220 of any other person without just compensation
1221 therefor.

1222 Sec. 22. Said corporation may take, hold and
1223 use such lands, springs, streams or ponds or such
1224 rights and interests therein as may be expedient
1225 or necessary for the purposes of providing public
1226 water supply to the town of Brookfield and its
1227 inhabitants in accordance with sections 20 to 23,
1228 inclusive, of this act, involving the preservation
1229 of the purity of such water and the prevention of
1230 any contamination thereof, provided, in all such
1231 cases where the law shall require that
1232 compensation be paid to any person whose rights,
1233 interests or property have been or will be
1234 injuriously affected by such taking, said
1235 corporation may apply to the Superior Court and
1236 such court after such notice as said court shall
1237 deem sufficient, shall appoint a committee of
1238 three disinterested persons who shall, after
1239 reasonable notice to the parties, determine and
1240 award the amount to be paid by said corporation on
1241 account of such taking, which determination and
1242 award shall be returned to the clerk of the
1243 Superior Court, who shall, upon approval by the
1244 court, record the same. The court's approval of an
1245 award shall constitute a final judgment.

1246 Sec. 23. Said town of Brookfield or any school
1247 district or fire district within said town may
1248 contract with said corporation for a supply of
1249 water for use or protection of any property within
1250 its limits and for other purposes and may assess
1251 and collect a tax for such amounts as may be
1252 required to meet liabilities under such contract
1253 or contracts.

1254 Sec. 24. Sections 20 to 23, inclusive, of this
1255 act shall be valid and effective as an amendment
1256 to the Certificate of Incorporation of the
1257 Brookfield Water Company if, not later than one
1258 year after its passage, it is accepted as a
1259 meeting of the stockholders of said corporation
1260 duly noticed for such purpose and only upon the
1261 filing after such meeting of a certificate of
1262 amendment in the office of the Secretary of the
1263 State.

1264 Sec. 25. This act shall take effect October 1,
1265 1998, except that section 18 shall take effect
1266 July 1, 1999.

* * * * *

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

* * * * *

FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5296

STATE IMPACT	Potential Minimal Revenue Gain (General Fund and Environmental Quality Fund), Minimal Cost, Within Budgetary Resources, Minimal Savings, Minimal Future Costs, Within Resources, see explanation below
MUNICIPAL IMPACT	Savings, see explanation below
STATE AGENCY(S)	Department of Environmental Protection, Department of Transportation, Various

EXPLANATION OF ESTIMATES:

STATE IMPACT: This bill makes various changes, both decreasing and increasing duties and activities to the Department of Environmental Protection (DEP) concerning water permit laws. The changes are anticipated to have a minimal fiscal impact.

The changes include allowing the commissioner to recover costs of abating violations under water diversion permits or under general permits for dam construction and repair of stream channel encroachments. This is anticipated to cover costs and would make this program consistent with other DEP programs. In addition, any increase in revenue due to increased fines is anticipated to be minimal. Expanding those entitled to appeal a new or renewed water discharge permit and requiring all permit decisions to be sent by certified mail is anticipated to minimally increase costs to the agency, and is within budgetary resources.

Provisions of the bill allowing DEP to issue emergency authorizations for inland wetland activities of State agencies and exempting State agencies from obtaining inland wetland permits under certain conditions changes the procedure, but is not anticipated to impact costs.

In addition, eliminating the requirement that each farmer in an aquifer protection area submit a management plan and changes made in DEP's responsibility with regard to permitting expansions of non-conforming regulated activities in aquifer protection areas will decrease DEP's workload.

Provisions in the bill concerning the regulation of motor boat noise and noise testing will minimally increase the workload of the DEP, within resources.

Requiring that the state pay at least 60% of the costs, instead of the statutory ratio, associated with the flood and erosion control project at Lake Phipps will minimally increase costs (bond funds) to the state and reduce costs to West Haven and/or the lake association. The Lake Phipps project is currently on the DEP flood control project list to be funded. The total project cost is \$1.2 million. It should be noted that the state currently owns the dam. It was given to DEP in a judgment by the court. However, it will be turned over to the Lake association after repairs.

The DOT could incur costs of approximately \$20,000 for notifying tree wardens of the estimated 2,000 permits that are processed by the district permits section each year. It is anticipated that these costs would be absorbed by the Department.

In addition, to the extent that the Brookfield Water Company must meet certain financial obligations with the Secretary of the State, a minimal revenue gain could potentially result.

MUNICIPAL IMPACT: Passage of this bill would reduce costs to municipal aquifer protection agencies due to a reduction in administrative responsibilities associated with permitting expansions of non-conforming regulated activities. The exact impact would vary from town to town. In addition, allowing agents of inland wetlands commissions to issue permits in certain instances

without public hearings is also anticipated to minimally decrease costs.

House "A" makes some technical changes, limits the bill's appeal provisions, changes a provision concerning inland wetlands commissions and makes changes with regard to regulation of the noise of motor boats which minimally increases future costs to DEP.

House "B" adds the provision on Lake Phipps minimally increasing costs to the state and decreasing costs to the municipality or Lake association.

House "C" made a technical change that did not alter the fiscal impact of the original bill.

* * * * *

OLR AMENDED BILL ANALYSIS

SHB 5296 (as amended by House "A")*

AN ACT CONCERNING WATER RESOURCE PROGRAMS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

SUMMARY: This bill makes a number of changes to the Department of Environmental Protection (DEP) laws regarding water permits. It:

1. expands those entitled to appeal a decision on a water discharge permit issued pursuant to federal water pollution control law;
2. expands the type of activities covered under a stream channel encroachment permit;
3. allows the commissioner to recover the costs of abating violations under a water diversion permit or under a general permit for dam construction and repair or stream channel encroachment;
4. authorizes the commissioner to issue cease and desist orders under the pesticide control and dam construction and repair laws;
5. exempts anyone (a) complying with a DEP dam repair order, (b) applying for a dam

construction or repair permit, or (c) covered under a general permit to repair or construct a dam from also obtaining certain other permits;

6. allows an inland wetlands agency to issue a permit without a public hearing, if one is not requested;
7. allows the DEP to issue emergency authorizations for inland wetland activities of state agencies;
8. eliminates the requirement that each farmer in an aquifer protection area submit a farm management plan and instead gives the commissioner discretion in requiring the plans;
9. adds to the regulations the DEP may adopt under the aquifer protection program ones setting procedures for offsetting nonconforming uses; and
10. exempts activities of state agencies covered under the tidal wetlands or structures and dredging law from obtaining an inland wetlands permit.

The bill replaces the current motorboat engine noise standards with new levels and changes how the noise is measured.

It requires the DEP to pay at least 60% of the cost of repairing the flood and erosion control system at Lake Phipps.

It authorizes the continued incorporation of the Brookfield Water Company.

The bill requires the Department of Transportation commissioner to notify a town's tree warden when he approves a tree cutting permit.

The bill also makes technical changes.

*House Amendment "A" (1) adds the motorboat noise provisions, (2) limits the bill's expansion of those

entitled to appeal a water discharge permit decision to permits issued pursuant to federal law, (3) allows an inland wetland agency to issue a permit without a public hearing if one is not requested and (4) eliminates the bill's provision that required an inland wetlands agent to approve minor activities without a public hearing.

*House Amendment "B" adds the provision on Lake Phipps.

*House Amendment "C" adds the provision continuing the incorporation of the Brookfield Water Company.

EFFECTIVE DATE: October 1, 1998, except for the motorboat noise provisions which are effective July 1, 1999.

FURTHER EXPLANATION

Water Discharge Permits

The law requires anyone who discharges into the state's waters to obtain a water discharge permit from the DEP. The bill expands those entitled to appeal the commissioner's decision regarding a new or renewed permit issued pursuant to the federal water pollution control law to any aggrieved party, not just the person or town whose application is the subject of the decision. By law the appeal is first to the commissioner and then to Superior Court.

The bill allows all decisions of the commissioner regarding a new or renewed permit issued pursuant to the federal water pollution control law to be appealed, not just decisions to deny an application for a new permit. It also requires the commissioner to send all permit decisions by certified mail to the applicant, not just decisions to deny an application.

Stream Channel Encroachment

By law the commissioner must establish stream channel encroachment lines along watercourses. Under current law, no obstruction or encroachment can be placed beyond these lines without a permit from DEP. The bill expands the type of activities needing a permit to include (1) any hindrance placed by anyone and (2) the maintenance of any obstruction, encroachment, or

hindrance by anyone.

The bill applies the current fees and penalties for violating the law to the maintenance of any obstruction, encroachment, or hindrance. The penalty is a fine of up to \$1,000 for each offense and for each day the offense continues.

Recovering Costs

The bill allows the commissioner, when a violation of a water diversion permit or a general permit under the dam construction and repair or stream channel encroachment law has been knowing and negligent, to recover the state's reasonable costs of investigating, controlling, and abating the violation; restoring the environment; or compensating for damages. In situations when several people are involved and responsibility cannot be reasonably apportioned, one party may be required to pay the full cost and then collect proportionate shares from the others involved. Under current law, the commissioner already has broad authority to recover costs for damages for activities occurring under a number of laws.

Cease and Desist Orders

The bill expands the commissioner's authority to issue cease and desist orders to actions occurring under the pesticide control and dam and reservoir safety laws that may result in substantial damage to the environment or public health or are occurring without or in violation of any required permit. He may already issue such orders for such actions occurring under the wetlands, noise pollution, hazardous waste, radiation, air pollution, solid waste, and water pollution laws.

Dams

The bill exempts anyone complying with a DEP order to repair a dam from obtaining a dam, stream channel encroachment, or water diversion permit. By law they are already exempt from obtaining a wetlands permit. The bill also requires the commissioner to record a certified copy of his final order on the town land records where the dam is located.

The bill exempts anyone applying for a permit to alter,

rebuild, repair, or remove an existing dam from obtaining an inland wetlands, stream channel encroachment, or water diversion permit. It exempts applicants for a permit to build a new dam from obtaining an inland wetlands permit.

The bill exempts anyone conducting activities covered under a dam construction and repair general permit from obtaining an inland wetlands, stream channel encroachment, or water diversion permit. The law allows the DEP commissioner to issue a dam construction or repair general permit for minor activities not covered by an individual permit if he determines the activity would cause minimal environmental effects. These activities include routine maintenance and repair of dams, dikes, reservoirs, or similar structures, and their construction if it presents low or negligible safety hazards. Applicants conducting an activity under a general permit need not obtain an individual permit unless required to do so by the commissioner.

Inland Wetlands

Public Hearing. By law an inland wetlands agency is prohibited from holding a public hearing on an application unless (1) the agency determines the proposed activity may have a significant affect on wetlands, (2) the agency finds that a public hearing would be in the public interest, or (3) 25 or more people sign a petition for a hearing within 15 days of the date the application is received. The bill specifies that the agency may issue a permit without a public hearing if no such petition for a hearing is filed within the 15 day time period.

Emergency Authorizations. The bill allows DEP to issue emergency authorizations for inland wetland activities of state agencies if the commissioner finds they are necessary to deal with imminent threats to human health or the environment. Under current law he already has broad authority to issue emergency authorizations for activities under a number of laws, including the tidal wetland law.

State Agencies. The bill exempts state agencies from obtaining an inland wetlands permit if the work they are doing is also regulated under the tidal wetlands or structures and dredging law.

Aquifer Protection

Farm Management Plans. The bill eliminates the requirement that each farmer within an aquifer protection area submit a farm resources management plan to the DEP for approval. It instead gives the commissioner discretion in requiring the submission of these plans. The bill requires him by July 1, 1999 to begin to adopt regulations establishing a priority system and procedures for determining when a farm management plan is required and the priority assigned to its preparation.

Offsets. The law allows the commissioner to adopt various regulations to implement the aquifer protection law. The bill adds to the regulations he may adopt, those setting procedures for:

1. offsetting the effect of expanding or modifying a nonconforming use,
2. modifying permits or regulated activities by removing other potential pollution sources within the well field, and
3. granting permits for the expansion or modification based on certification by a qualified person that the expansion meets the commissioner's criteria.

Tree Cutting

By law, anyone other than a tree warden or his deputy who wants to cut or remove all or part of a tree or shrub within the limits of any public road or grounds may apply in writing for a permit to do so to the town tree warden, the Department of Transportation (DOT) commissioner, or any other entity having jurisdiction. After receiving the permit he may proceed with the cutting or removal. The bill requires the DOT commissioner to notify the tree warden when he approves a permit.

Motor Boat Noise

The bill replaces the current permissible motor boat engine noise levels measured from shore or 50 feet from the boat with new permissible noise levels and changes

how the noise is measured. Current law prohibits anyone from operating or giving permission to operate a motorboat in a manner that exceeds a noise level of

1. 86 decibels measured 50 feet from the boat or 100 feet from shore for engines made before January 1, 1976;
2. 84 decibels measured in the same manner for those made between January 1, 1976 and January 1, 1982; and
3. 82 decibels for those made after January 1, 1982.

The bill prohibits anyone from operating or giving permission to operate a motorboat in a manner that exceeds a noise level of (1) 90 decibels for engines made before January 1, 1993 or (2) 88 decibels for engines made after that date. The noise level must be measured when the boat is operating in a stationary mode in accordance with the Society of Automotive Engineers (SAE) testing standards. If the boat has more than one engine the standard applies when all engines are simultaneously operating.

The bill also prohibits anyone from operating or giving permission to operate a motorboat in a manner that exceeds a noise level of 75 decibels measured from shore in accordance with the SAE standards.

The bill requires any officer who conducts a noise test to be qualified in motorboat noise testing by the DEP. The qualifications must include instruction in selecting a measurement site and in calibrating and using noise test equipment.

Current law prohibits anyone from operating or giving permission to operate a motorboat equipped with an altered muffler, a muffler cutout, bypass or similar device. The bill eliminates the prohibition on operating or giving permission to operate with an altered muffler and instead prohibits anyone from removing a muffler or altering a muffler in order to prevent the boats operation in compliance with the noise levels.

It also prohibits selling or offering to sell any

motorboat without a muffler which enables it to meet the noise standards, except if the motorboat is used solely for competing in races or regattas. It exempts these motorboats from the noise level limits while participating in a race or regatta authorized by DEP.

To be exempt the seller must give the purchaser a paper to date and sign with the following statement: "I understand that this motorboat may not be operated for any purposes other than competing in a marine race or regatta authorized under section 15-140b of the Connecticut General Statutes." The statement must include the hull identification number. The seller must submit a copy of the statement to the DEP within five days of the sale and the seller and purchaser must each keep a copy.

The bill applies the same penalties that apply under current law to those who violate the noise standards or refuse to comply with an officer's request. The penalty is a fine of between \$100 and \$500.

Lake Phipps

Regardless of the law's existing provisions on paying for flood and erosion control systems, the bill requires the DEP to pay at least 60% of the cost of the repair of the flood and erosion control system for the Lake Phipps area which is under DEP's control in West Haven. He must enter into an agreement with West Haven and Lake Phipp's lake association under which the town or lake association must bear all or part of the remainder of the costs.

Brookfield Water Company

The bill authorizes the continual incorporation of the Brookfield Water Company for the purpose of supplying Brookfield and its inhabitants with an abundant supply of water. The town or any fire or school district in town may contract with the corporation for water and may assess and collect a tax to meet its liabilities under the contract.

The corporation is authorized under the bill to:

1. open public streets and grounds to repair, install, replace, and maintain water pipes in

Brookfield and its immediate vicinity

2. construct, repair, and maintain reservoirs, aqueducts, canals and other sources of water and facilities appurtenant thereto,
3. install fire hydrants, and
4. remove existing nuisances and prohibit building other nuisances on streams used for water supply.

The corporation may take and hold lands, springs, streams, or ponds necessary to supply water, preserve its purity, and prevent its contamination. It must pay just compensation to anyone whose property will be injured by the taking in accordance with the determination of three disinterested people appointed by the Superior Court to set the amount. The court must approve the award. Its approval constitutes a final judgment.

These provisions become effective as an amendment to the Brookfield Water Company's Certificate of Incorporation if not later than October 1, 1999, it is accepted at a meeting of the corporation's stockholders and filed after the meeting with the Secretary of the State.

BACKGROUND**Legislative History**

The bill (File 264) was referred by the House (1) on April 8 to the Public Health Committee which reported it unchanged and (2) on April 17 to the Planning and Development Committee which eliminated the bill's expansion of the waters subject to the structures and dredging law.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute
Yea 23 Nay 0

Public Health Committee

Joint Favorable Report
Yea 20 Nay 0

Planning and Development Committee

Joint Favorable Substitute
Yea 17 Nay 0